

**DENTAL QUALITY ASSURANCE COMMISSION**  
**Thursday December 4, 2003**  
**Commission Business Minutes**  
*Wyndham Gardens Hotel*  
*Seatac, WA*  
*(Subject to Commission Approval)*

**Members Present:**

John Davis, DDS, JD, Vice Chair  
Laurie Fan, DDS  
Abdul Alkezweeny, Ph.D, Public Member  
Mark Koday, DDS  
Bernard Nelson, Public Member

Marshall Titus, DDS  
Pramod Sinha, DDS  
George McIntyre, DDS  
Lorin Peterson, DDS,

**Members Absent:**

Ernest Barrett, DDS  
Theresa Cheng, DDS  
Russell Timms, DDS

Mark Paxton, DDS  
Robin Reinke, DDS, Chair

**Staff Present:**

Lisa Anderson, Health Services Consultant 3  
Lisa Gast, Health Services Consultant 1  
Kim Dinsmore, Program Representative  
Donna Johnson, Program Representative

Elyette Weinstein, Staff Attorney

**Others Present:**

Colleen Gaylord, RDH, Washington State Dental Hygienists Association  
David Hemion, Washington State Dental Association  
Lynnette Coan, JD MAA DSHS

In accordance with the Open Public Meetings Act, notices were mailed to individuals requesting notification of the Commission meetings.

## **OPEN SESSION**

### **1. CALL TO ORDER- *John Davis, DDS, JD, Vice- Chair***

The December 4, 2003 business meeting of the Dental Quality Assurance Commission was called to order by John Davis, DDS, JD, Vice-Chair, at 7:55 p.m. at the Wyndham Gardens Hotel, Sea Tac, Washington.

#### **1.1 Approval of Agenda**

The agenda was approved with the following additions

- 2.10 Request from the University of Washington School of Dentistry for a representative from the Commission to speak to the students in the Ethics in Dentistry course regarding the WAC(Washington Administrative Code)
- 4.3 WREB-Memo w/attachment dated November 25, 2003 from Linda Paul re: Annual meeting on January 10, 2004 in Phoenix, AZ and WREB Board of Directors
- 4.4 WREB-Memo w/attachments dated November 20, 2003 from Linda Paul re: Dental examiner assignments for 2004.
- 6.1 AADE/AADA-Additional information
- 8.2 Letter dated December 2, 2003 from Mark Paxton, DDS re: Item # 8.1-Letter from Dr. Howard Katz regarding the use of Botox<sub>2</sub>
- 8.3 Letter dated November 30, 2003 from Cynthia Bordeton, Director, Academy of Gp Orthodontics
- 10.5 Letter dated November 22, 2003 from Dr. Michael Silverman, President, Dental Organization for Conscious Sedation (DOCS) to Lisa Anderson re: state regulations regarding oral conscious sedation<sub>2</sub>

#### **1.2 Approval of the October 16, 2003 Meeting Minutes**

Dr. Koday requested that the minutes be corrected to reflect his attendance at the October 16, 2003 meeting. Staff will make the correction. The minutes were approved with the correction.

#### **1.3 Approval of October 28, 2003 conference call minutes**

The October 28, 2003 conference call minutes were approved as submitted.

**1.4 Approval of October 16, 2003 Panel A additional meeting minutes**

The additional meeting minutes for Panel A, from October 16, 2003 were approved as submitted.

**2. PROGRAM REPORT, EXECUTIVE DIRECTOR, ASSISTANT ATTORNEY GENERAL- *Lisa Anderson, Health Services Consultant, Mark Brevard, AAG***

**2.1 Budget Report-Interim Operating Reports for July, August, and September 2003**

Copies of these reports were provided to the members of the Commission for their information and review.

**2.2 2002-2003 (as of 11/07/03) Dental Statistics**

A copy of this report was provided to the members of the Commission for their information and review.

**2.3 Health Professions Quality Assurance –Fact Statement**

This was provided to the members of the Commission for their review and future reference.

**2.4 Health Professions Quality Assurance –New AAG Assignments**

This was provided to the members of the Commission for their information and review.

**2.5 Continuing Education Audits-Memo w/attachments from Linda McCue, Manager, Customer Service Center**

Ms. McCue provided copies of the process and proposed timelines for conducting the Dental continuing education audits. The audits are scheduled to begin in December 2003.

Additionally, a motion was made at the Commission's October meeting to adjust home study hours for Continuing Education up to 7 hours from 3 hours. Ms. Anderson informed the Commission that she will try to get the CR-101 done in 9 months.

**2.6 Washington Physician's Health Program 2003 DQAC Semiannual Report-Mid-Year January-June**

This was provided to the members of the Commission for their information and review.

**2.10 Request from the University of Washington School of Dentistry for a representative from the Commission to speak to the students in the Ethics in Dentistry course regarding the WAC(Washington Administrative Code)**

This was provided to the members of the Commission for their information and review. John Davis, DDS, JD volunteered to represent the Commission and prepare the presentation. Ms. Anderson will submit Dr. Davis' name to the School of Dentistry.

**3. STAFF/COMMISSION MEMBER REPORTS**

**3.1 Governor's reception-Robin Reinke, DDS and Bernard Nelson, Public Member**

Mr. Nelson gave a brief overview of the reception and shared with the Commission that Governor Locke thanked the boards and Commissions for their commitment and expressed his appreciation for the work they do.

**3.2 The Disciplinary Hearing-Information from the Boards, Commissions, and Committees conference.**

This was provided to the members of the Commission for their information and future reference.

**3.3 Health Care Personnel Shortage: Crisis or Opportunity?-Information from the Boards, Commissions, and Committees conference**

This was provided to the members of the Commission for their information and review.

**4. WESTERN REGIONAL EXAM BOARD (WREB)-**

**4.1 WREB Update**

Dr. Peterson stated that the test assignments given by WREB will be viewed by NERB.

**4.2 WREB Newsletter-Fall 2003**

This was provided to the members of the Commission for their information and review.

**4.3 WREB-Memo w/attachment dated November 25, 2003 from Linda Paul re: Annual meeting on January 10, 2004 in Phoenix, AZ and WREB Board of Directors.**

Dr. Peterson will attend the annual meeting January 10, 2004 for the Commission.

**4.4 WREB-Memo w/attachments dated November 20, 2003 from Linda Paul re: Dental examiner assignments for 2004.**

This information was provided to the members of the Commission for their information and review.

**5. CENTRAL REGIONAL DENTAL TESTING SERVICE (CRDTS)**

**5.1 CRDTS Update**

There was no update at this meeting.

**5.2 Memo dated September 24, 2003 from Harold Thurman re: Search for New Test Development Director.**

This was provided to the members of the Commission for their information and review.

**5.3 Memo dated November 3, 2003 from Scott Houfek, DDS, Chairman, Dental Examination Review Committee re: 2004 Examination Changes**

This was provided to the members of the Commission for their information and review.

**6. AMERICAN DENTAL ASSOCIATION (ADA)/ AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE)/ AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA), DENTAL ASSISTING NATIONAL BOARD (DANB)**

**6.1 AADE-Information from the 120<sup>th</sup> Annual Meeting of the AADE in San Francisco, CA October 22-23, 2003.**

Ms. Anderson provided the members of the Commission with copies of information that was provided at the meeting. Ms. Anderson as well as other members of the Commission who attended, stated that the meeting was well attended and information was well presented. Of particular interest to the members of the Commission was the subject matter presented regarding conscious sedation/anesthesia and the administration of triazolam . The Commission recognizes that this issue is being addressed on a national level and requested staff to arrange for some presentations by Fred Quarnstrom, DDS and Mark Paxton, DDS, to obtain more information on the subject.

**6.2 AADE/AADA-Additional information**

This was provided to the members of the Commission for their information and review.

**6.3 ADA-2002 Survey of Clinical Testing Agencies Report, Revised November 2003**

This was provided to the members of the Commission for their information and review.

**6.4 ADA-Full-Time Practitioner Vacancies on National Board Dental Test Construction Committees in 2005**

This was provided to the members of the Commission for their information and review.

**6.5 ADA-Vacancies on National Board Test Construction Committees**

This was provided to the members of the Commission for their information and review.

**6.6 ADA-Testing Center Arrangements**

This was provided to the members of the Commission for their information and review.

**6.7 DANB-Report of Major Actions of and Project Updates Discussed by the Board of Directors of the Dental Assisting National Board, Inc. at its Annual Meeting August 2003.**

This was provided to the members of the Commission for their information and review.

**7. POLICIES/ INTERPRETIVE STATEMENTS, OPINIONS**

*Any interpretive statement issued by the Commission is advisory and intended for the guidance of the requesting parties only. The interpretive statement is not legally binding and does not have the force and effect of a duly promulgated regulation or declaratory ruling by the Commission.*

**7.1 Moving Cases from Assessment to Investigative Phase-for discussion and adoption.**

This was provided to the members of the Commission for their review and adoption.  
After review, a motion was made to adopt the policy as presented..

**8. CORRESPONDENCE**

**8.1 Letter dated November 10, 2003 from Howard Katz, DDS re: Questions regarding The use of Botox for dental treatments.**

The Commission requested staff to respond to this letter and advise Dr. Katz that he will need to consult with his attorney. The Commission also requested that a copy of the dental laws be provided to Dr. Katz for his information and reference.

**8.2 Letter dated December 2, 2003 from Mark Paxton, DDS re: Item # 8.1-Letter from Dr. Howard Katz regarding the use of Botox.**

This was provided to the members of the Commission for their information and review.

**8.3 Letter dated November 30, 2003 from Cynthia Bordeton, Director, Academy of Gp Orthodontics**

The Commission requested that Ms. Anderson refer Ms. Bordeton to RCW 1832.30 (4) and send her a copy of the law.

*Items listed under the consent agenda are considered to be routine agency matters and will be approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the agenda and placed on the regular business agenda.*

**9. CONSENT AGENDA**

There were no items to consider.

**10. NEWSLETTERS/FYI ARTICLES**

- 10.1 Article entitled "A duty to disclose-Issues to consider in securing informed consent" by Peter M. Sfikas, J.D., from the JADA, Volume 134, October 2003.**
- 10.2 Arizona State Board of Dental Examiners Newsletter-September 2003**
- 10.3 Minnesota Board of Dentistry -Updates, Vol. 19, No.3 Fall 2003**
- 10.4 Missouri Dental Board Newsletter-Volume 5, Issue I, October 2003**

The above newsletters/articles were provided to the members of the Commission for their information and review.

**CLOSED SESSION**

**11. EXECUTIVE SESSION-**

*The term "executive session" is commonly understood to mean that part of a regular or special meeting of the governing body that is closed to the public. A governing body may hold an executive session only for specified purposes, which are identified in RCW 42.30.220(1)(a)-(k), and only during a regular or special meeting.*

The Commission may go into executive session to discuss issues that are appropriate to be handled in closed session such as personnel issues or to obtain legal advice.

There was no executive session held.

**12. FUTURE COMMISSION BUSINESS**

Staff will arrange for the presentations requested by the Commission in item 6.1.

**13. BUSINESS MEETING ADJOURNMENT**

The business meeting adjourned at 9:58 p.m.

*Respectfully Submitted By:*

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*Kim Dinsmore, Administrative Assistant II*

*Commission Approval By:*

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*John Davis, DDS, JD, Vice-Chair*